

# APPROVED MINUTES

## Valley Center Community Planning Group

Minutes for the Regular Meeting of July 13, 2009

Chairman: Oliver Smith Vice Chairman: Ann Quinley Secretary: Christine Lewis

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent Ab=Abstain AI=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance  
With N=Nay P=Present SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members for Review: August 5, 2009

Approved: August 10, 2009

1. Call to Order and Roll Call by Seat #:											07:15 PM			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ANDERSSON	SIMPSON	HOFER	VICK	BRITTSCH	ROBERTSON	QUINLEY	MONTROSS	LEWIS	HERIGSTAD	SMITH	WEAVER	RUDOLF	VANKOUGHNETT	BACHMAN
P	P	A	P	A	P	P	P	P	P	P	P	P	P	P

Appendices to these Minutes: None

Total Number of Pages Comprising this Report: 6

Notes:

Quorum Established: 13

Yes (X) No ( )

2. Pledge of Allegiance – Keith Robertson

3. Open Forum:

a) **Chairman, Oliver Smith** – I need to inform this group that because of discussions prior to the beginning of this meeting with DPLU Manager, Brian Baca, several items on this evening's Agenda are found not to be compliant with the Brown Act. They are improperly noticed on the Agenda either for lack of a precise address or explicit description of the issue to be voted upon. For example, Item 4e) dealing with the proposed EDCO green waste recycling site on Betsworth is not properly noticed on this Agenda, so we will entertain comments in the Open Forum. First, we have some people who have submitted a Request to Speak and we will hear from them first:

**Larry Glavnic** – The NCILR, or North County Inland Regional Leadership, is having a public meeting this Thursday, July 16<sup>th</sup> 6:00 pm to 8:00 pm at the San Pasqual Tribal Community Hall. The subject of the meeting is "How to Avoid Stupid Growth – The Intelligent Approach to Sustainable Development". This is candy to members of the VCCPG.

**John Vick** – 1) Would like to invite everyone to a real Valley Center celebration on Saturday, July 25<sup>th</sup> which is the Centennial Celebration of the 100<sup>th</sup> Anniversary of the First Flight West of the Mississippi and it will be held on the historic air strip on the east side of Cole Grade and Valley Center Roads.

2) A tenant has been found for the abandoned CDF buildings on Cole Grade Road. "Project Wildlife" is one of the country's largest wildlife rehabilitation organizations.

**Christine Lewis** – I believe most everyone is aware of SDG&E's proposed Proactive De-Energization Program, which is corporate speak for shutting off your electricity. That plan is in front of the CPUC and is scheduled to be voted on at their August 20<sup>th</sup> meeting in San Francisco. I have left contact slips on the back table with the case number and contact information for whomever would like to contact them.

I know this is not a matter generally considered as part of the purview of the Planning Group but it occurs to me that with the flaws still inherent in this Program if it is enacted there is a good chance we will be unable to protect ourselves and our property. So, if everything burns to the ground all the care and planning that we do here is moot. It's all lost. Valley Center has no elected group beside us. I am requesting that this item be placed on the August PG Agenda for discussion in the anticipation that we can send a letter to the CPUC expressing our concerns on behalf of the Community.

**Smith** – Let's ask the authority here. Brian is this within our purview?

**Baca** - This is not in our jurisdiction. It is not part of our scope of work. But that is my opinion.

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San Diego County  
DEPT. OF PLANNING & LAND USE

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### **Motion:**

"The matter of SDG&E's proposed electrical shutoff will be placed on the August agenda"

Maker/Second	VOICE VOTE (Y - N - A) 6 - 7 - 0
Smith/Lewis	
	<b>Motion Fails</b>

Note: voting "nay" – Herigstad, Rudolf, Montross, Simpson, Weaver, Anderson, Bachman

### **Open Forum cont'd...**

**Smith** - Item 4e on the Agenda "Proposed EDCO green Waste recycling facility on Betsworth" is now open for comment.

**Richard Moker**, 12750 Lonesome Oak Way – He is extremely opposed to the EDCO facility and is seeking additional support from Valley Center residents to help him fight it. He sees no benefit to Valley Center in having this green waste recycling plant. He has communicated with Steve South, president of EDCO who has offered to meet with him. He asks that like-minded residents contact him by e-mail: [richardmoker@aol.com](mailto:richardmoker@aol.com).

**Bob Polito**, 11920 Betsworth Rd – Everyone needs to realize that the green waste will come from all over into our agricultural area and bring with it the Asian citrus psyllid. This pest is the most damaging pest to citrus in the entire world. It has already been found in San Diego County.

**Michael Babineau**, 27430 Sagebrush Trail – He is in the wholesale nursery business and agriculture in San Diego County has been under attack over the last 5 to 10 years. He is concerned about pests carried through green waste such as the diaprepes root weevil which can impact over 200 species of plants. Quarantines have not been enforced since the State is out of funds.

**Bill Almeida**, Betsworth Lane – Concerned that the EDCO plant is a "done deal" and there appears to be no consideration made of objections from residents. This is a pristine piece of property.

### **4. Announcements & Items of Public Interest:**

- a) **Chairman Smith** - I am responsible for bringing this EDCO proposed project to the public's attention and for sending out the maps showing where the EDCO facility will be located. No permits have been requested so it has been "under the radar" but I feel it is better we are aware of it sooner rather than later.
- b) **Smith** – Welcome to our **new Planning Group members**, Jon Vick (seat # 4) and Brian Weaver (seat #12) whose appointment has been ratified by the Board of Supervisors. Community Planning Group Training Manuals were presented to Vick and Weaver by Brian Baca, DPLU.
- c) **Segal Ranch Subcommittee update** (Smith)  
At subcommittee meeting, concerns expressed to proponent, Michael Wunderlin. Subcommittee will report back to PG as appropriate
- d) **Brian Baca, DPLU Manager** – In defining "**Conflict of Interest**", the interests of PG member should not be distinguishable from those of the general public. Conflict of interest is very fact based and should be obvious.  
If you live or do business within 500 feet of a specific project before the PG, you should recuse yourself. That rule can be overlooked if all, or a majority of the planning body is similarly conflicted.  
**R. Rudolf** – When you recuse yourself you should state the reason and leave the dais. Do you also need to remove yourself from the room?  
**Baca** – It is not legally required that you leave the room but it is the best course of action.  
**Van Koughnett** – If the same sub-contractor is used by a PG member and the proponent of a project, isn't there a conflict of business interest?

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	<p><b>Baca</b> – The safe course if there is any question of impropriety is for the PG member to recuse himself but there need not be a conflict in such a case.</p> <p><b>Rudolf</b> – Personal bias either for or against a party may also be a reason to recuses oneself</p> <p><b>Van Koughnett</b> – Let us say a project is near my property and it could impact my property values?</p> <p><b>Baca</b> - Is the impact greater for you than the community at large? If it is, then you should recuse yourself even if it is located further than the minimum 500 feet from your property.</p> <p>There are specific and general guidelines and if you are unsure you should check with the FPPC. You can be fined and/or turned over for prosecution</p> <p><b>Van Koughnett</b> – What rules apply to subcommittees?</p> <p><b>Baca</b> - An “ad hoc” single purpose committee does not have to comply with the Brown Act in terms of noticing the public but it is still subject to the conflict of interest rules.</p>
e)	<p><b>EDCO Green Waste Recycling Plant</b>– cannot be discussed this meeting as noticed in this Agenda. Public comments were entertained earlier ( see Open Forum – Agenda Item # 3)</p> <p><b>Baca</b> – What you can do in this situation is make a noticed meeting out of a site visit for informational purposes.</p>
f)	<p><b>No Parking Zone in front of Valley View Casino Employee Parking Lot. RO4-017 (Smith)</b></p> <p><b>Discussion &amp; Comments:</b></p> <p><b>Baca</b> - No discussion or vote is permitted as this item is improperly noticed in the Agenda. The location is not clear. Discussion and any vote on It is deferred .</p> <p><b>Jim Quisquis</b>, Valley View Casino - The questions being dealt with here are not relevant to the public in attendance. Project Engineer Russell Hunt is here and ready to be helpful if we want to deal with this item.</p> <p><b>Smith</b> – We can not discuss this item this evening since it was not properly noticed. It is an action item and will be deferred to the August meeting.</p> <p><b>R.Rudolf</b> – We need to have a training meeting on project processing.</p> <p><b>Baca</b> – An additional regular meeting can be called with 72 hours notice.</p>
g)	<p><b>Update on Valley Center Road median west of Miller Road (Jon Vick)</b></p> <p><b>Discussion &amp; Comments:</b></p> <p><b>Vick</b> – This matter should be deferred to the subcommittee</p> <p><b>Smith</b> – This was a concern/complaint brought to him by the public and he would like to answer with details of how lane length is determined but it will be deferred to the next meeting.</p>
h) & i)	<p><b>Update from Trails Subcommittee (Rudolf) and Update from GPU Subcommittee (Rudolf)</b></p> <p><b>Discussion &amp; Comments:</b></p> <p><b>Smith</b> – According to Brian Baca both items 4h) and 4i) must be disqualified because they have insufficient descriptions of what is to be discussed or reported upon.</p> <p><b>Baca</b> – Item 4i) could be accepted on the Agenda as an update only with no discussion allowed under the Brown Act.</p> <p><b>Rudolf</b>- The GPU Subcommittee has a 60 day window in which to comment on the 3,000 page EIR. Can we have a meeting on August 30<sup>th</sup> or 31<sup>st</sup> to submit our comments to the Planning Group once the GPU Subcommittee has had an opportunity to meet and prepare those comments.</p> <p><b>Smith</b> - We can schedule an additional Planning Group Regular Meeting on August 31<sup>st</sup> to accommodate the deadline. I will do some canvassing among our members to set that meeting up. Also a training meeting will be set up with Brian Baca lasting approximately 2 hours.</p>
<b>5.</b>	<b>Approval of Minutes:</b>
<p><b>Motion:</b> The PG approves the Minutes of April 13, 2009 and June 8, 2009 as disseminated.</p>	
<p><b>Maker/Second: Van Koughnett/Montross</b>      <b>Voice Vote Carries (Y-N-A): 12 -1 - 0</b></p>	
<p>Note: Herigstad - nay</p>	
<b>6.</b>	<b>Land Use Items:</b>

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<b>6.a.</b>	ZAP 09-001; SAN 259-B Tree World, ER 0908002 (Susan Simpson) Owner is Gertrude Jensen Trust. Applicant is Cricket Communications. Contact person is Frank Orozco. Minor use permit for a cell Site at 29277 Valley Center Road .						
<p><b>Discussion &amp; Comments:</b></p> <p><b>Simpson</b> – A minor use permit was approved by this PG on May 11<sup>th</sup> but it has come back down to us for approval of a major use permit which will allow height modification of the tower to 50 ft. as a pine tree.</p> <p><b>Frank Orozco</b> – The project has been reviewed by the Design Review Board and we have made changes in the height of fencing, etc. as they suggested. We need to have the additional height to overcome topography so we can receive and send signals from vehicles and extend the range.</p> <p><b>Simpson</b> – CEQA requests that the branches be lowered. Megahertz output remains the same and the project is within a commercially zoned area.</p> <p><b>Robertson</b> – This height change will not be noticeable to passing traffic.</p> <p><b>Herigstad</b> – Will the design need to be changed for increased height down the road.</p> <p><b>Orosco</b> – If we change the height, we will need to come back to you for a variance.</p>							
<p><b>Motion:</b></p> <p>"The VCCPG recommends approval of the MUP as submitted with raised fencing and lowered branches at the maximum height requested of 50 ft. "</p>							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Maker/Second</td><td style="width: 50%;"></td></tr> <tr> <td>Simpson/Van Koughnett</td><td>Voice Vote: (Y-N-A) 13-0-0</td></tr> <tr> <td colspan="2" style="text-align: center;"><b>Motion Carries</b></td></tr> </table>		Maker/Second		Simpson/Van Koughnett	Voice Vote: (Y-N-A) 13-0-0	<b>Motion Carries</b>	
Maker/Second							
Simpson/Van Koughnett	Voice Vote: (Y-N-A) 13-0-0						
<b>Motion Carries</b>							
Notes:							
<b>6.b.</b>	<b>P09-004 Environmental Log P09-08-06, North Village Town Center (Robertson)</b>						
<p><b>Discussion &amp; Comments:</b></p> <p><b>Robertson</b> – This project is still in the Design Review Board phase and will be brought forward to the PG at a later time</p>							
<b>6.c.</b>	<b>STP 008-013; ENV 08-0101-08 Miller Road Plaza (Keith Robertson) northwest corner of Miller Road and Valley Center Rd. Owned by Valley Center View Properties – Jerry Gaughan and Napoleon Zervas; Mixed use development containing restaurants, office &amp; retail space and gas station.</b>						
<p><b>Discussion &amp; Comments:</b></p> <p><b>Roberston – Miller Road Plaza</b> - This is a separate project from the North Village development and is smaller in nature. It involves 3 buildings and a gas station. It stands on its own 2 ¼ acres. Project already has the approval of the VC Design Review Board.</p> <p>Building A: Restaurant &amp; Office: 3,750 SF</p> <p>Building B: Office Retail: 7,466 SF</p> <p>Building C: Office/Retail: 4,272 SF</p> <p><b>Jerry Gaughan, Valley Center View Properties</b> – We have been working diligently for several years, meeting with the Design Review Board and with the residents of Valley Center. Our project, Miller Road Plaza, is located on the northwest corner of Valley Center and Miller Roads and has its own septic system. As a fairly independent, small project it is an easy place to start.</p> <p>We look to receive our final approval within the next 3 to 4 months and will begin construction immediately upon approval. We hope to start the public approval process in 45 days. We are still working on the lease for an ARCO gas station and convenience store and are looking at providers for a fast food location. The car wash is being temporarily eliminated due to zoning needs. A car wash needs to be zoned C36 and we are currently zoned for C32 or C 34. It will probably be built later. There is a 7400 SF retail building and the third building is designed for a restaurant.</p> <p>After negotiating with the DPW, we have their assurance "bird rock" will stay in place. DPW had originally planned that it be removed to make way for a 6<sup>th</sup> traffic lane on Valley Center Road. There are no archeological findings to consider. The septic system is a surface system. No SPA is required</p> <p><b>Vick</b> – Is there a trail around the project?     <b>Gaughan</b> – Yes, on 2 sides.</p>							
<p><b>Motion:</b></p> <p>"That VCCPG approve the Miller Plaza project contingent on successful completion and operation of proposed wastewater treatment plant currently in the design stage."</p>							

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Maker/Second	Voice Vote: (Y-N-A)	12 -1-0
<b>Robertson/Van Koughnett</b>		<b>Motion Carries</b>
Note: Anderson "nay"		
<b>6.d.</b>	SO5-005 Orchard Run (Debra Hofler)	
<b>Discussion &amp; Comments:</b>		
<b>Chairman Smith</b> – This project is improperly noticed and the chair of our Orchard Run subcommittee, Dr. Hofler, is not able to be present this evening.		
<b>Robertson</b> – The Design Review Board is taking up this project at tomorrow's meeting and so, again, it will be brought forward to the PG at the appropriate time.		
<b>Smith</b> – My apologies to John Belanich, owner of the Orchard Run project who hope to make a presentation.		
Notes:		
<b>7.</b>	<b>Announcements &amp; Items of Interest to the VCCPG:</b>	
	<b>Smith</b> – I will be absent for our meeting of August 10 <sup>th</sup> as will Vice-chair Quinley. The next meeting will be chaired by Dr. Deb Hofler.	
<b>8.</b>	<b>Subcommittee Reports &amp; Business:</b>	
a)	Castle Creek – Oliver Smith, Chair	
b)	Circulation/Mobility – Debra Hofler, Chair.	
c)	GP Update – Rich Rudolf, Chair.	
d)	Nominations – Susan Simpson, Chair.	
e)	Northern Village – Keith Robertson, Chair (see item 6 c).	
f)	Orchard Run – Debra Hofler, Chair.	
g)	Parks & Rec.- David Montross, Chair.	
h)	Pauma Ranch - Ann Quinley & Keith Robertson, Chairs Quinley – We will probably have a subcommittee meeting in September	
i)	Rancho Lilac – Ann Quinley, Chair. Quinley – They are waiting to file an EIR	
j)	Segal Ranch (formerly Spanish Trails) – Oliver Smith, Chair	
k)	Strategic Planning – Terry Van Koughnett, Chair.	
l)	Southern Village —Terry Van Koughnett, Chair Van Koughnett - The Rite Aid store is on "life support" with no sewer connection. We need to get a list of plants so we can proceed with landscaping the medians and sides of the roads planted	
m)	Tribal Liaison – Terry Van Koughnett, Chair.	
n)	Valley Center Church – Terry Van Koughnett, Chair.	
o)	Website – Terry Van Koughnett, Chair.	
<b>9.</b>	<b>Correspondence Received:</b>	
a.	DPLU to VCCPG; PAA 09-003 Kiva project number 09-0112; 849; Weston-Valley Center LLC (Herbert Schaffer) applicant; James Chagala Planner; the project is the Weston Town Center at the intersection of Cole Grade and Valley Center Road**	
b.	DPLU to VCCPG; AD 09-029; Wilson second dwelling; Vera Wilson Revocable Trust is owner; project is at 14043 Calle de Vista **	
c.	DPLU to VCCPG; P09-004; Northern Village Town Center Water Reclamation Facility (replacement plan) project owners are Napoleon Zervas and Jerry Gaughan; project is located at Valley Center Road and Indian Creek Road.**	
d.	DPLU to VCCPG; P09-009 (formerly ZAP09-001); ER 09-08-002; PLU 09-0197234; first iteration review of initial studies information; Tree World Wireless Telecommunication Facility request to convert a minor use permit ZAP09-001 to a major use permit to allow for an additional height waiver request of 1 feet over the permitted height; Project is a proposed cell tower at 29277 Valley Center Road.	
e.	DPLU to VCCPG; TPM 21106; Final Notice of Approval of tentative Parcel Map No.21106; Owner is Sarah Beers; 29240 Fox Run Lane, Valley Center, CA.	
f.	DPLU to VCCPG; S09-010; Environmental Log number 09-08-007; information as guide for further processing of application. Villalobos Site Plan, Project Address: Valley Center and Woods Valley Road.	
g.	DPLU to VCCPG; AD 08-015; Rattray Addition, Administrative Permit; Second iteration; Review of initial studies and information. Randall Rattray applicant; 13525 Mirar De Valle; minor subdivision.	
h.	DPLU to VCCPG; TM 5478; Rabbit Run; a major subdivision of 17770 acres into 7 lots ranging from 2/03 5o 2.02 acres. North of Fruitvale Road. Site is currently an active citrus orchard (DPLU recommendation to Planning Commission, contact person	

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is Beth Ehsan Planning commission approved on June 19<sup>th</sup> and decision became final on June 29, 2009

- i. DPLU to VCCPG; TMP 20911RPL, Log No ER 04-02-007; Mustafa Minor Subdivision; Intent to adopt a mitigated negative Declaration; project proposes a minor residential subdivision of 16.37 acres into four parcels and a remainder parcel which range in size from 2.16 acres to 4.12 acres; located on corner of Circle R. Drive and Circle R Lane.
- j. DPLU to VCCPG; PAA 08-009; RFS# 06-18797; Resolution of Administrative Warning #13682 issued to Diane Tavarez 30665 Old Highway 395, Escondido and Tavarez's withdrawal of PAA 08-009
- k. SD County Registrar of Voters to VCCPG; Notice that Board of Supervisors' policy I-1 requires Planning Group members to file a Form 700 (Statement of Economic Interest)
- l. DPW to VCCPG; DPW will begin removal of existing bridge on Alley Center Road over the San Luis Rey River and construction of a new bridge that meets current standards.
- m. San Diego County Board of Supervisors to VCCPG; Board of Supervisors Agenda for June 16 and 17 meeting at 9:00 AM ,Room 310, 1600 Pacific Highway, San Diego and agenda for June 23 and 24 at 9:00 AM at same location.
- n. San Diego County Planning commission to VCCPG, Agenda, Regular meeting, June 19, 2009 at 9:00 Am at DPLU Hearing Room 5201 Ruffin Road, San Diego including Amendments to the San Diego County General Plan and Zoning Ordinance related to Farm Employee Housing and Farm Labor Camps (GPA 09-001; POD 08-003)
- o. San Diego County Traffic Advisory Committee to VCCPG; Agenda for June 19<sup>th</sup> meeting of the Traffic Advisory Committee at 9:00 AM at 9621 Ridgehaven Court in San Diego.
- p. SDGE to VCCPG; Fact sheet describing and map of areas affected by Emergency Power Shut-Off plan.
- q. DPLU to VCCPG; P03-08e; ER 03-08-034 Notice of Intent to Adopt a Negative Mitigated declaration for the Valley Center Community Church; the project is a major use permit to allow construction operation of a new Religious Assembly Complex with 6 structures totaling 65,00 square feet at 29019 Cole Grade Road. Comments to DPLU no later than July 24, 2009 at 4:30\*\*

<b>10.</b>	<b>Motion to Adjourn:</b>	<b>9:40 p.m.</b>
	<b>Maker/Second</b>	<b>Vote: (Y- N- A ) 13 - 0 - 0</b>
	Quinley/Robertson	<b>Motion Carries</b>

**Note: Next Regularly Scheduled Meeting is August 10, 2009**

Respectfully Submitted,

Christine Lewis,  
Secretary,  
Valley Center Community Planning Group